

## CATEGORY 3 – Single Use Plastic Bag Ban By-law

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### 3.1 Declaration of findings and policy – Scope

The Town of Seekonk hereby finds that the reduction in the use of disposable checkout bags by retail establishments in the Town of Seekonk is a public purpose that protects marine environments, advances solid waste reductions, reduces greenhouse gas emissions and protects waterways. This ordinance seeks to reduce the number of plastic bags that are being burned, used, discarded, and littered, and to promote the use of reusable checkout bags by Retail Establishments located in the Town of Seekonk.

### 3.2 Definitions:

The following words shall, unless the context clearly requires otherwise, have the following meanings:

1. “Check-out bag” shall mean a bag provided by a store to a customer at the point of sale for transporting food and merchandise from the establishment. The following bag types are excluded from this definition:
  - a. Bags, whether plastic or not, in which loose produce or products are placed to delivery such items to the point of sale or check out area of a retail establishment; or
  - b. Laundry or dry-cleaner bags; or
  - c. Newspaper bags; or
  - d. Bags used to contain or wrap frozen foods, meat or fish, whether prepackaged or not, to prevent or contain moisture.
2. “Recyclable paper bag” shall mean a paper bag that is 100% recyclable and contains at least 40% post-consumer recycled content, and displays in a visible manner on the outside of the bag (1) the word “recyclable” or a symbol identifying the bag as recyclable and (2) a label identifying the bag as being made from post-consumer recycled content and the percentage of post-consumer recycled content in the bag.
3. “Reusable check-out bag” shall mean any bag with handles that is specifically designed and manufactured for multiple, long-term reuse, made of cloth or other machine or hand-washable fabric; other durable material, including plastic that is at least 4.0 mils thick.
4. “Retail Establishment” shall mean any business facility that sells goods directly to the consumer whether for or not for profit, including but not limited to, retail.
5. “Thin-film, single-use plastic check-out bags” shall mean those bags typically with handles, constructed of high-density polyethylene (HDPE), low density polyethylene (LDPE), linear low-density polyethylene (LLDPE), polyvinyl chloride (PVC), polyethylene terephthalate (PET), or polypropylene (other than woven and non-woven polypropylene fabric), if said film is less than 4.0 mils in thickness.

### 3.3 Regulated Conduct:

(A) No Retail Establishment in the Town of Seekonk shall provide thin-film, single-use plastic check-out bags to customers, except as provided in Section 7-11.4 Exemptions. If a Retail Establishment provides a check-out bags to customers, the bags must be one of the following: recyclable paper bag or reusable check-out bag.

(B) Retail Establishments with a total of 3,500 square feet or more that make available thin-film, single-use plastic check-out bags, with or without handles, that are exempt from the provisions of this ordinance, shall provide in-store collection and proper recycling of thin-film, single-use plastic check-out bags. In store collection locations must be prominently displayed and easily accessible.

### 3.4 Exemptions:

Thin-film plastic bags typically without handles, which are used to contain produce, meat, bulk foods, wet items, dry cleaning are not prohibited under this ordinance.

### 3.5 Enforcement

The Health Agent and the Seekonk Health Department shall have the authority to administer and enforce this ordinance. For the first violation, the enforcing authority, upon a determination that a violation occurred, shall issue a written warning notice to the establishment specifying the violation. The following penalties shall apply: A fine of \$50 shall apply for the first violation following the issuance of a written warning notice. A fine of \$100 shall apply

for the second and each additional violation of this ordinance after the issuance of a written warning notice. Fines shall be cumulative and each day on which a violation occurs shall constitute a separate offence.

### **3.6 Regulations:**

The Health Agent or his/her designee may promulgate guidelines and regulations consistent with the enforcement of this chapter.

### **3.7 Effective Date:**

This ordinance shall take effect on and after January 1, 2020 for Retail Establishments with a floor area equal to or exceeding 3,500 square feet or at least two (2) locations under the same name within the Town of Seekonk that total 3,500 square feet or more. For retail establishments with a floor area less than 3,500 square feet, the Health Agent or his/her designee may exempt the Retail Establishment from the requirements of this section for a period of up to six (6) months upon a finding of the Health Agent or his/her designee that (1) the requirements of this section would cause undue hardship; or (2) a retail establishment requires additional time in order to draw down an existing inventory of thin-film, single-use plastic check-out bags.

### **3.8 Severability:**

If any provision of this by-law is held to be invalid by a court of competent jurisdiction, such provision shall be considered separate and apart from the remaining provisions, which shall remain in full force and effect.

## **CATEGORY 4 – Residency Requirement for All Committees**

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All persons serving on any Board or Committee in the Town of Seekonk shall be required to live in the Town and shall be required to maintain residency within the corporate Town limits throughout their appointment.

## **CATEGORY 5 – Department of Municipal Finance**

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### **Section 1 – Composition, Term of Office, General Power**

There shall be a Department of Municipal Finance which shall be responsible for the keeping of accounts and financial records, the head of which shall be the Director of Municipal Finance, who shall be appointed under contract by the Board of Selectmen and shall report to the Town Administrator, for a term of no less than three (3) nor more than five (5) years. The Director of Municipal Finance shall have knowledge of municipal accounting and shall have experience in budgeting and financial control. Subject to the approval of the Board of Selectmen, the Director of Municipal Finance may perform the duties of any office under his supervision and may consolidate one or more such offices under one person.

### **Section 2 – Duties of the Director of Municipal Finance**

The Director of Municipal Finance shall perform the following duties:

- A). Coordinates financial services and activities.
- B). Maintains a general accounting system of the Town, except the School Department, including necessary financial statements and an annual audit.
- C). Assist all other Town Departments and Offices in any matter related to financial affairs.
- D). Monitors the expenditure of all funds, including periodic reporting to the Town Administrator and the appropriate agencies on the status of accounts.
- E). Monitors all purchases of supplies, materials, equipment, and services including insurance and maintenance of inventory controls.
- F). Assists the Town Administrator in supervising the data processing activities of the Town.
- G). Assists the Town Administrator in compiling the Town's fiscal operating Budget and Capital Stabilization Account.
- H). Assists in the compiling of ALL Fiscal Reports and Filings.